Doc. 111 Att. 40

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## EXHIBIT 40

| case 4:06-cv-00324-CW Documen  | t 111-41 Filed | d 09/06/20                 | 007     | Page 2 of 3                                       |  |
|--|----------------|----------------------------|---------|---|--|
| PAUL J. ANDRE, Bar No. 196585 (pandre@perkinscoie.com) LISA KOBIALKA, Bar No. 191404 (lkobialka@perkinscoie.com) ESHA BANDYOPADHYAY, Bar. No. (ebandyopadhyay@perkinscoie.com) SEAN M. BOYLE, Bar No. 238128 (sboyle@perkinscoie.com) PERKINS COIE LLP 101 Jefferson Drive Menlo Park, CA 94025 Telephone: (650) 838-4300 Facsimile: (650) 838-4350  Attorneys for Defendant The Freecycle Network, Inc. | ). 212249      |                            |         |   |  |
| ,  | STATES DISTR   | AICT CO                    | URT     |   |  |
| NORTHERN   | DISTRICT OF    | CALIFO                     | ORNI    | A   |  |
| O  | AKLAND DIVI    | SION                       |         |   |  |
|  | ı              |                            |         |   |  |
| FREECYCLESUNNYVALE,  |                | CASE NO. C 06-00324 CW     |         |   |  |
| a California unincorporated associatio   |                | MANUAL FILING NOTIFICATION |         |   |  |
| Plaintiff,   | EX             | нівіт то                   | O 40    |   |  |
| V.   |                |                            |         | OF DERON BEAL IN                                  |  |
| THE FREECYCLE NETWORK, INC an Arizona corporation,   | NE'            | TWORK,                     | INC.    | E FREECYCLE<br>S OPPOSITION TO<br>TION FOR SUMMAL |  |
| Defendant.   |                |                            |         | TION FOR SUMMAR<br>UNDER FED.R.CIV.P              |  |
| THE FREECYCLE NETWORK, INC   | . Dat          | o: 9                       | ontom   | ber 27, 2007                                      |  |
| an Arizona corporation,  | Tim            | ne: 2                      | :00 p.ı |   |  |
| Counterclaiman   |                |                            | Courtro |   |  |
| V.   |                |                            |         |   |  |
| FREECYLESUNNYVALE, a California unincorporated associatio  | n,             |                            |         |   |  |
| Counterdefenda   | nt,            |                            |         |   |  |
|  |                |                            |         |   |  |
|  |                |                            |         |   |  |

EXHIBIT TO BEAL DECLARATION

1 MANUAL FILING NOTIFICATION 2 Regarding Exhibit 40 to the Declaration of Deron Beal in Support of the Freecycle 3 Network, Inc.'s Opposition to Plaintiff's Motion for Summary Adjudication Under Fed.R.CIV.P. 4 56: 5 This filing is in paper or physical form only, and is being maintained in the case file in the 6 Clerk's office. 7 8 If you are a participant on this case, this filing will be served in hard-copy shortly. 9 For information on retrieving this filing directly from the court, please see the court's main web 10 site at http/www.cand.uscourts.gov under Frequently Asked Questions (FAQ). 11 This filing was not efiled for the following reason(s): 12 Voluminous Documents (PDF size larger than efiling systems allowances) 13 14 Unable to Scan Documents 15 Physical Object (description): 16 Non Graphical/Textual Computer File (audio, video, etc.) on CD or other media 17 X Item Under Seal 18 Conformance with the Judicial Conference Privacy Policy (General order 53). 19 20 Other (description): 21 DATED: September 6, 2007 PERKINS COIE LLP 22 23 By: Lisa Kobialka 24 Attorneys for Defendant and Counterclaimant 25 The Freecycle Network, Inc. 26 27 28